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**MAY 25 2005**

In re Application of	:	OFFICE OF PETITIONS
Shinji Aoki et al	:	
Application No. 10/670,951	:	NOTICE OF ISSUANCE OF
Filed: September 25, 2003	:	ERRATUM VACATING
Attorney Docket No. 4041J-000776	:	PATENT GRANT

The purpose of this notice is to advise you that the above-identified application was mistakenly indicated to have been granted as U.S. Patent No. 6,830,510 on December 14, 2004.

The record discloses the following:

- A Notice of Allowance and Issue Fee(s) Due was mailed on September 1, 2004 requiring submission of the issue fee on or before December 1, 2004.
- The issue fee payment was timely received on September 28, 2004.
- On November 9, 2004, the Director of Technology Center 3700 withdrew the application from issue under the provisions of 37 CFR 1.313(b) for the purpose of reopening prosecution.
- Subsequent to the mailing of the November 9, 2004 notice withdrawing the application from issue, a patent number of 6,830,510 and an issue date of December 14, 2004, were assigned to the application as a result of the payment of the issue fee on September 28, 2004.

The Group Director has been delegated the authority to withdraw an application from issue, including subsequent to payment of the issue fee. MPEP 1002.02(c), ¶ 18. Thus, this application was properly withdrawn from issue prior to the scheduled issue date of December 14, 2004 by a duly authorized official at the USPTO. Accordingly, a patent did not issue to this application on December 14, 2004. See Harley v. Lehman, 981 F.Supp. 9, 11-12, 2, 44 USPQ2d 1699, 1701-02 .n2 (D.D.C. 1997) and Black Light Power, Inc. v. Rogan, 63 USPQ2d 1534 (CA FC 2002).

In view of the above, the USPTO's publication on December 14, 2004 of a patent document, purporting to be a patent, was in error. Accordingly, the following erratum will be published in the Official Gazette:

All reference to Patent No. 6,830,510 to Shinji Aoki et al of Japan for SYSTEM FOR LIMITING AN INCREASE IN THE INSIDE AIR TEMPERATURE OF PASSENGER COMPARTMENT OF VEHICLE appearing in the Official Gazette of December 14, 2004 should be deleted since no patent was granted.

This matter is being referred to Technology Center AU 3749 for further action as the nature of the case requires.

Any questions concerning this matter may be directed to Frances Hicks at (571) 272-3218.

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